

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH REIVER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:25-cv-01376-MKV
)	
THE CITY OF NEW YORK,)	ORDER TO SHOW CAUSE FOR
)	PRELIMINARY INJUNCTION AND
)	TEMPORARY RESTRAINING ORDER
Defendant.)	

Upon the declarations of Joseph Reiver, Mara Miller, Klaus Biesenbach, JR, Jeffrey L. Brodie, Ph.D., Noah Chasin, and Patti Smith, executed under penalty of perjury, the copy of the complaint hereto annexed, and the Memorandum of Law in Support, it is

ORDERED, that the above-named defendant show cause before a motion term of this Court, at Courtroom 18C, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on _____, _____, at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendant during the pendency of this action from violating plaintiff's rights under the Visual Artist Rights Act (VARA), 17 U.S.C. §106A, including destroying, distorting, mutilating, or otherwise modifying Elizabeth Street Garden, located at 207 Elizabeth Street, New York, NY 10012 (the "Garden").

ORDERED that, sufficient reason having been shown therefor, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P.,

the defendant is temporarily restrained and enjoined from violating plaintiff's rights under the Visual Artist Rights Act (VARA), 17 U.S.C. §106A, including destroying, distorting, mutilating, or otherwise modifying the Garden; and it is further

ORDERED that security in the amount of \$ _____ be posted by the plaintiff prior to _____, at _____ o'clock in the _____ noon of that day; and it is further

ORDERED that personal service of a copy of this order and annexed affidavits upon the defendant or its counsel or before _____ o'clock in the _____ noon, _____, shall be deemed good and sufficient service thereof.

DATED: New York, New York

ISSUED: _____

Hon. Mary Kay Vyskocil
United States District Judge